

Filed for intro on 04/22/98  
SENATE BILL 3429 By  
Carter

HOUSE BILL 3431  
By Kisber

AN ACT to amend Chapter 212 of the Private Acts of 1990 and Chapter 50 of the Private Acts of 1941, as amended by Chapter 243 of the Private Acts of 1982, Chapter 156 of the Private Acts of 1986 and Chapter 101 of the Private Acts of 1989, relative to the General Sessions Court of Madison County, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 50 of the Private Acts of 1941, as amended by Chapter 243 of the Private Acts of 1982, Chapter 156 of the Private Acts of 1986 and Chapter 101 of the Private Acts of 1989, is amended by deleting the third and fourth paragraphs of Section 17 and substituting instead the following:

Effective July 1, 1998, the juvenile court clerk of Madison County shall act as clerk of the court of general sessions for all matters involving juvenile cases, probate cases and the proceedings thereto. Prior to July 1, 1998, the county clerk shall transfer all files, records and other documents pertaining to probate matters in Madison County to the juvenile court clerk.

The fees, commissions, emoluments, duties, authority and responsibilities of the clerk of the court of general sessions shall be the same as provided by general law for a court of general sessions, a clerk of a juvenile court and a clerk of probate court.

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Except as provided herein, nothing contained in this act shall be construed to affect or alter the duties, responsibilities, fees and jurisdiction of the clerk of the probate, juvenile or general sessions courts of Madison County. The circuit court clerk shall continue to serve as clerk in all other matters within the jurisdiction of the general sessions court.

SECTION 2. Chapter 212 of the Private Acts of 1990, is amended by adding the following new subsection (g) to Section 1:

(g) Effective July 1, 1998, the juvenile court clerk shall act as clerk of the general sessions court for all matters involving probate cases and proceedings. As to these probate duties, the fees, commissions, emoluments, duties, authority and responsibilities of the juvenile court clerk shall be the same as provided by general law for the clerk of a probate court.

SECTION 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Madison County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Madison County legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.

